

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 09317 240637Z

ACTION COME-00

INFO OCT-01 EA-12 ISO-00 EB-08 STR-07 FTC-01 /029 W

-----096561 240643Z /17

P 240629Z MAY 78

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 8180

UNCLAS TOKYO 09317

PASS STR/STRAUSS AND COMMERCE/WEIL

E.O. 11652: NA

TAGS: BEXP, ETRD, JA, US

SUBJECT: TRADE FACILITATION COMMITTEE: STRAUSS-USHIBA

MEETING ON MAY 24--TFC CASES NO. 8 AND NO. 9

REFS: (A) STATE 128588, (B) STATE 128606,

(C) STATE 125860, (D) STATE 123512

1. IN ACCORDANCE WITH REF A, TFC CASE NO. 8 (CARPENTER TECHNOLOGY CORPORATION--REF C) AND TFC CASE NO. 9 (CORDIS DOW CORP.--REF D) WERE DELIVERED TO HANAOKA MAY 24. (PREVIOUS DAY KAWASAKI WAS INFORMED BY EMBASSY THAT CASES WERE IN PROCESS.) AT SAME TIME, TFC CASE NO. 4 (ABBOTT LABORATORIES--REF B) WAS SUBMITTED FOR RECONSIDERATION.

2. COVERING LETTER TO HANAOKA INDICATES THAT WE WILL BE DISCUSSING CASE NO. 4 AND CASE NO. 9 DIRECTLY WITH MINISTRY OF HEALTH AND WELFARE (MHW) BUT NOTES THAT WE WILL ASK MHW TO MAKE ITS RESPONSE THROUGH MITI. THIS REFLECTS OUR PREVIOUSLY EXPRESSED INTENTION TO USE MITI ONLY AS POST OFFICE FOR INITIAL DEPOSIT OF TFC COMPLAINTS OUTSIDE ITS DIRECT JURISDICTION.

3. COMMENT: CORDIS DOW PROBLEM REPRESENTS PARTICULARLY UNCLASSIFIED

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DIFFICULT CASE FOR AT LEAST TWO REASONS. AS DEPARTMENT NOTED IN REF B, MHW IS NOT HAPPY WITH MITI INTERVENTION IN ITS JURISDICTION. IN ADDITION, WE ARE CONVINCED THAT MHW CHANGE OF FEES PAID IN CONNECTION WITH USE OF DIALYZERS WAS HONEST ATTEMPT TO CUT DOWN ON HIGH TECHNICAL CHARGES BEING EXTRACTED BY TECHNICIANS AND THERE WAS NO INTENT TO IMPEDE TRADE WITH U.S. IT WILL TAKE SOME

TIME TO "INTERNATIONALIZE" OR "IMPORTIZE" MHW. WE THINK
IT WOULD BE UNWISE TO LOOK UPON THE CORDIS DOW SUBMISSION
AS A MAJOR TEST CASE. THOSE IN WASHINGTON FAMILIAR WITH
THE OPP-TBZ CASE WILL RECALL HOW LONG IT TAKES TO
RESOLVE ISSUES AT MHW, EVEN WITH HIGH LEVEL INTERVENTIONS,
BUT THAT EXAMPLE ALSO SHOWED THAT PATIENT PERSISTENCE
CAN EVENTUALLY PAY OFF.

MANSFIELD

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Message Attributes

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